IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 4190 of 2007(W)

PETITIONER:

ARPUTHA RAJA,
MANAGER, TRINITY GARDEN ENGLISH MEDIUM SCHOOL,
57TH MILE, ASSISI NAGAR, VANDIPERIYAR,
IDUKKI DISTRICT.

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENTS:

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1. THE STATE OF KERALA, REP. BY
THE SECRETARY TO GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
IDUKKI DISTRICT, AT THODUPUZHA.

4. THE ASST. EDUCATIONAL OFFICER,
PEERMADE, IDUKKI DISTRICT.

BY GOVERNMENT PLEADER SRI. A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.4190 OF 2007

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Dated this the 6th day of March, 2007.

JUDGMENT

Petitioner challenges Ext.P1. Petitioner is the Manager of an unrecognised English medium School situated at Devikulam Taluk, Vandiperiyar. Reliance is placed on Articles 45, 31 and 46 besides 21A of the Constitution. Petitioner challenges Ext.P1.

2. Heard counsel for the petitioner and the learned Advocate General.

3. It is pointed out by the learned Advocate General that a Committee has been constituted and is yet to finalise the modalities in regard to grant of recognition to unaided schools. Petitioner seeks besides to quash Ext.P1, a direction to consider the statutory applications preferred by the petitioner for grant of recognition within a time limit.

Having regard to all facts, the writ petition is disposed of with a direction to the first respondent to consider the case of the petitioner for recognition of the school of the petitioner and take a decision in

accordance with law as expeditiously as possible, at any rate before 1st of June, 2007.

Counsel for the petitioner submits that petitioner was permitted to hold the examination in the petitioner's school for the last year. It is also submitted that the petitioner will make an application for permitting the petitioner to conduct examinations in Standards 1 to 6 in the petitioner's school and to issue TC for this year before the third respondent. Learned counsel for the petitioner submits that the petitioner will not seek the benefit to conduct examination in the petitioner's school for Classes 1 to 6 and to issue TC from the next year onwards.

If the petitioner submits an application before the third respondent seeking permission for conducting examinations in Standards 1 to 6 in the petitioner's school and to issue TC for this year, orders will be passed in accordance with law within a period of one week from the date of receipt of the application.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.